

EDMUND G. BROWN JR.
Attorney General of the State of California
DANE R. GILLETTE
Chief Assistant Attorney General
GERALD A. ENGLER
Senior Assistant Attorney General
PEGGY S. RUFFRA
Supervising Deputy Attorney General
MICHELE J. SWANSON, State Bar No. 191193
Deputy Attorney General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 703-5703
Fax: (415) 703-1234
Email: Michele.Swanson@doj.ca.gov
Attorneys for Respondent

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CHRISTOPHER A. CARRASCO,

Petitioner.

V.

ROBERT A. HOREL, Warden,

Respondent.

C 07-5666 MMC (PR)

**DECLARATION OF
COUNSEL IN SUPPORT OF
MOTION TO ENLARGE
TIME TO FILE RESPONSE
TO PETITION FOR WRIT OF
HABEAS CORPUS**

I, MICHELE J. SWANSON, declare under penalty of perjury as follows:

21 I am a Deputy Attorney General for the State of California and am assigned to
22 represent respondent in this case. Respondent's answer or other responsive pleading is due July
23 10, 2008, pursuant to this Court's April 11, 2008 Order to Show Cause. I am unable to meet this
24 deadline, and request an enlargement of time to file a response to the petition for writ of habeas
25 corpus for the following reasons.

26 I was not the attorney who briefed this case on direct review in state court. Since
27 having this case assigned to me, I have been working on cases with chronological precedence,
28 and in the past 30 days, I have filed reply briefs in *Muhammad v. Adams*, C 07-3627 MMC (PR)

1 and *Parnell v. Evans*, C 05-4324 SBA (pr), and an answer in *Collier v. Hedgpeth*, C 07-5964 SI
2 PR. I have also recently completed the answers in *Wash v. Runnels*, C 04-04207 JW and *Haney*
3 v. *Adams*, C 07-4682 CRB (PR). For these reasons, I am unable to file the response in this case
4 by the current deadline.

5 I have not attempted to contact petitioner about this extension of time because he is an
6 incarcerated state prisoner who is representing himself.

7 Accordingly, I request that the Court grant respondent an extension of 60 days, to and
8 including September 8, 2008, in which to file a response to the petition.

9 I declare under penalty of perjury that the foregoing is true and correct.

10 Executed at San Francisco, California, on July 9, 2008.

11
12 /s/ Michele J. Swanson
13 MICHELE J. SWANSON
Deputy Attorney General

14
15
16 20120188.wpd

17 SF2008401285
18
19
20
21
22
23
24
25
26
27
28